

**MINUTES OF ORDINARY COUNCIL MEETING OF
THE COUNCIL OF THE CITY OF RANDWICK
HELD ON, TUESDAY 24TH MAY, 2005 AT 6:10 P.M.**

PRESENT:

His Worship the Mayor, Cr. M. Matson (East Ward) (Chairperson)

Councillor B. Notley-Smith (East Ward) (Deputy Mayor)

North Ward	-	Crs J. Kenny, P. Tracey & M. Woodsmith
South Ward	-	Crs R. Belleli, M. Daley (from 6.30 p.m.) & A. White
East Ward	-	Cr D. Sullivan
West Ward	-	Crs B. Hughes, S. Nash & J. Procopiadis
Central Ward	-	Cr A. Andrews

OFFICERS PRESENT:

General Manager	Mr. R. Brownlee.
Director, City Services	Mr. J. Frangoples.
Director, City Planning	Ms. S. Truuvvert.
Director, Governance & Financial Services	Mr. G. Banting.
Acting Public Officer	Mr. D. Kelly.
Manager Policy, Planning & Performance	Ms. K. Walshaw.

1. COUNCIL PRAYER

The Council Prayer was read by Cr Notley-Smith.

2. APOLOGIES.

Apologies were received from Crs Bastic and Seng.

RESOLVED: (Notley-Smith/Kenny) that the apologies from Crs Bastic and Seng for non-attendance at the Ordinary Council Meeting of the Council held on Tuesday, 24th May, 2005 be received & accepted.

3. MINUTES

**CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING
HELD ON TUESDAY, 26TH APRIL, 2005.**

- 204 **RESOLUTION:** (Nash/Kenny) that the Minutes of the Ordinary Council Meeting held on Tuesday, 26th April, 2005 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting, subject to the

inclusion of the original condition of consent number three (3) for 25 Byrne Crescent, Maroubra as follows:

3. *The extension of the south eastern balcony is not to extend beyond the alignment of the southern external wall of the existing dwelling ie. a maximum extension of 2.35m to the south. This is to ensure the retention of views currently enjoyed by the owners of No. 27 Byrne Crescent and also to reduce the potential loss of privacy to the owners of No. 27 Byrne Crescent.*

4. DECLARATION OF PECUNIARY & NON-PECUNIARY INTERESTS

Nil.

RESOLVED: (Andrews/Procopiadis) that the meeting be adjourned at 6.13 p.m. and be further adjourned at 6.53 p.m. to permit members of the public entitled and wishing to address the assembled Councillors.

5. ADDRESSES TO THE COUNCIL BY THE PUBLIC.

1. Miss Gabbie Bodai, PO Box 81, Randwick on Item 6.5, Mayoral Minute 63/2005 – Commendation of SABR Fundraising Effort for Cancer Body.
2. Ms Suzanne Egan, 172A Doncaster Avenue, Kensington on Item 6.6, Mayoral Minute 64/2005 - RTA Access Ramps: Briefing Session for Councillors with LATM Working Party and other Street Representatives.
3. Mr Chris Markodis, 55 Eastern Avenue, Kingsford on Item 6.6, Mayoral Minute 64/2005 - RTA Access Ramps: Briefing Session for Councillors with LATM Working Party and other Street Representatives.
4. Mr Wesley Freier, 1/45 Ritchard Avenue, Coogee On Item 10.1, Director, City Planning Report 27/2005 - Unit 1/45 Ritchard Avenue, Coogee.
5. Mr Nunzio Caruoto, 1/88 Currie Street, Adelaide on Item 10.2, Director, City Planning Report 28/2005 - 50 Dolphin Street, Coogee.
6. Mr Stuart Murray, 1/225 Carrington Road, Coogee on Item 10.2, Director, City Planning Report 28/2005 - 50 Dolphin Street, Coogee.
7. Ms Gwyn Greenaway, 50 Lenthal Street, Kensington on Item 12.1, Notice Of Rescission Motion By Councillors Andrews, Bastic, Daley, Procopiadis, Sullivan, Tracey And White – Ordinary Council Meeting, Tuesday, 26th April, 2005– Item 6.3 – Mayoral Minute 46/2005 - Clarification Of Lenthal Street's Status as a Local Road and Establishing Council's Authority in Local Street Traffic Issues.
8. Mr Timothy Dalton, 27 Dawes Street, Little Bay on Item 12.2, Notice Of Rescission Motion By Councillors Daley, Sullivan And White – Ordinary Council Meeting, Tuesday, 26th April, 2005– Item 10.3 – Director, City Planning Report 22/2005 - 25 Byrne Crescent, Maroubra.
9. Mr Garry Glazebrook, 31 The Boulevard, Lewisham on Item 12.7, Motion by Councillor Hughes – Impact of Southern Cross Drive/Gardener's Road Access Ramps on Future Plans for Light Rail and the Viability of the Commercial Centres on Anzac Parade.
10. Ms Linda Wilson, 3/22 Abbott Street, Coogee on Item 6.11, Mayor's Minute 69/2005 - Outcome of Street Meeting on Council Resolution to Remove Ficus 'Hilli' Growing Adjacent to 27 Melody Street, Coogee.

The meeting was resumed at 7.40 p.m.

(Note: The speaker for Item 6.11 was given permission to speak at 8.30 p.m. after being unavoidably detained.)

RESOLVED: (PROCEDURAL MOTION) (Sullivan/Nash) that items 6.5, 6.6, 6.11, 10.1, 10.2, 12.1, 12.2 and 12.17 be brought forward and dealt with immediately due to the large number of interested parties in attendance. See respective minute numbers for resolutions.

6. MAYORAL MINUTES.

6.1 MAYORAL MINUTE 59/2005 - WAIVING OF FEES - STATE JUNIOR TITLES. (F2004/08302)

205 **RESOLUTION: (His Worship the Mayor, Cr M. Matson) that:**

- a) *Council vote \$855.00 to cover the fees associated with the NSW State Junior Titles Surfing event to be held at Maroubra Beach on the 17th to 19th June, 2005, and funds be allocated from the Contingency Fund 2004/05; and*
- b) *the event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event.*

MOTION: (His Worship the Mayor, Cr M. Matson) CARRIED - SEE RESOLUTION.

6.2 MAYORAL MINUTE 60/2005 - KROPKA THEATRE. (F2004/07108)

206 **RESOLUTION: (Worship the Mayor, Cr M. Matson) that:**

- a) *Council vote \$700.00 to cover the fees associated with the hire of the town hall for the Kropka Theatre production to be held on the 17, 18, 23, 24 and 25 September 2005, and funds be allocated from the Contingency Fund 2004/05;*
- b) *the event organiser undertake to appropriately and prominently acknowledge and promote Council's contribution prior to and during the event; and*
- c) *the Mayor or his representative be given the opportunity to address the production on behalf of Council.*

MOTION: (His Worship the Mayor, Cr M. Matson) CARRIED - SEE RESOLUTION.

6.3 MAYORAL MINUTE 61/2005 - DONATION OF 20 CHAIRS TO THE COAST CENTRE FOR SENIORS. (F2004/07690)

207 **RESOLUTION: (His Worship the Mayor, Cr M. Matson) that Council donate 20 chairs to the Coast Centre for Seniors at \$33.00 each, which will come to a total value of \$660.00 and be charged to the Contingency Fund 2004/05.**

MOTION: (His Worship the Mayor, Cr M. Matson) CARRIED - SEE RESOLUTION.

6.4 MAYORAL MINUTE 62/2005 - REMOVAL OF UP TO SEVEN BUS SHELTERS BY JC DECAUX. (F2004/00811)

208 **RESOLUTION: (Sullivan/Daley) that:**

- a) *the General Manager liaise with JC Decaux to ensure that Council is in a position to adequately notify the affected local businesses when the company is removing or replacing its bus shelters; and*
- b) *a report be brought to Council as to how we can advise local businesses on how best to take advantage of the clause in the contract (between Council & J C Decaux) under which J C Decaux must consider giving favourable treatment to local businesses.*

MOTION: (His Worship the Mayor, Cr M. Matson) that:

- a) the General Manager liaise with JC Decaux to ensure that Council is in a position to adequately notify the affected local businesses when the company is removing or replacing its bus shelters; and
- b) Council respond positively to any local business with a community basis of operation who request us to negotiate with JC Decaux over retaining accustomed advertising at the old Adbin bus shelters.

AMENDMENT: (Sullivan/Daley) CARRIED AND BECAME THE MOTION. MOTION CARRIED – SEE RESOLUTION.

PROCEDURAL MOTION: (Notley-Smith/His Worship the Mayor, Cr M. Matson) that the meeting be adjourned for 5 minutes. LOST.

(Note:- the Mayor asked Councillor Andrews on three occasions to explain his accusation that the Mayor misled Council. The Mayor advised that he would be moving a motion of censure against Councillor Andrews at the next meeting of Council unless the Mayor receives an apology.)

6.5 MAYORAL MINUTE 63/2005 – COMMENDATION OF SBAR FUNDRAISING EFFORT FOR CANCER BODY. (F2004/07079)

(Note: This item was dealt with as the 8th item of business on the agenda.)

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RESOLUTION: (Hughes/Daley) that:

- (a) *the Mayor write to the bodies and individuals (noted in Attachment A to the Mayoral Minute) commending them on supporting this year's SBAR fundraising effort for the Children's Cancer Institute of Australia (CCIA) and inviting them to support a further Council endorsed and sponsored ride next year in the Council area; and*
- (b) *next year's event be subject to men being required to wear speedos, board shorts or equivalent and women being required to wear bikinis or equivalent.*

MOTION: (His Worship the Mayor, Cr M. Matson) that the Mayor write to the bodies and individuals (noted in Attachment A to the Mayoral Minute) commending them on supporting this year's SBAR fundraising effort for the Children's Cancer Institute of Australia (CCIA) and inviting them to support a further Council endorsed and sponsored ride next year in the Council area.

AMENDMENT: (Hughes/Daley) CARRIED - BECAME MOTION. MOTION CARRIED - SEE RESOLUTION.

6.6 MAYORAL MINUTE 64/2005 - RTA ACCESS RAMPS: BRIEFING SESSION FOR COUNCILLORS WITH LATM WORKING PARTY AND OTHER STREET REPRESENTATIVES. (F2004/08216)

210 **RESOLUTION: (His Worship the Mayor, Cr M. Matson)** *that, not-with-standing its resolution of the 22nd February, 2005 to suspend its previous in principle support for the concept of the Gardeners Road Access Ramps, Council:*

- 1) *commends all participants in the Kensington Kingsford Local Area Traffic Working Party for the work done to date in scrutinising options for an LATM to control rat running should the proposed Access Ramps be approved;*
- 2) *resolves that if the Access Ramps are approved, that the ideal version of the LATM should include the concepts of:*
 - *comprehensive no left turns from Gardeners Road;*
 - *no right turn (buses excepted) from Eastern Avenue into Gardeners Road;*
 - *no right turn from Houston Road into Gardeners Road;*
 - *a partial closure of Lenthal Street;*
 - *traffic converging to the ramps is managed and does not create rat runs in the area;*
 - *fair and equitable treatment of all other streets; and*
 - *consideration of the impact to the residents and businesses on Gardeners Road and Anzac Parade;*
- 3) *notes its concern that the proposed Access Ramps may detrimentally impact on the current bike path along Southern Cross Drive and other alternative transport options and requests the RTA to provide its modelling on this issue;*
- 4) *will write to the MP for Coogee asking him what he expects will be the anticipated impact on his seat's residents from altered traffic flows resulting from the proposed Access Ramps and the RTA's modelling of possible LATM options; and*
- 5) *notes and endorses the Mayor's intention of arranging a briefing meeting for interested Councillors with street representatives of the Working Party and representatives from other affected streets not presently included in the Working Group and authorises him to select such representatives from residents who can demonstrate a reasonable level of support from their neighbours.*

MOTION: (His Worship the Mayor, Cr M. Matson) CARRIED - SEE RESOLUTION.

6.7 MAYORAL MINUTE 65/2005 – REQUEST FOR FUNDING – ALERT. (F2004/07685)

211 **RESOLUTION: (His Worship the Mayor, Cr M. Matson)** *that:*

1. *Council agree to support the ALERT program managed by the Kooloorra Community Centre;*

2. Council vote \$8000.00 from Council's Community Development Grant Program budget 05/06, to assist the ALERT group;
3. Council consider any further requests for financial assistance beyond 05/06, following the review of its Community Development Grants Program; and
4. all promotional material relating to the ALERT program acknowledge Council's support.

MOTION: (His Worship the Mayor, Cr M. Matson) CARRIED - SEE RESOLUTION.

6.8 MAYORAL MINUTE 66/2005 – COOGEE LIONS CLUB CHARTER CIVIC RECEPTION. (F2005/00506)

- 212 **RESOLUTION: (His Worship the Mayor, Cr M. Matson)** that Council host a Civic Reception for the Coogee Lions Club and \$2000.00 be allocated from Council's 2005/06 Events budget in order to fund the Reception.

MOTION: (His Worship the Mayor, Cr M. Matson) CARRIED - SEE RESOLUTION.

6.9 MAYOR'S MINUTE 67/2005 - RANDWICK CITY COUNCIL'S PARTICIPATION IN THE PREPARATORY PROCESS FOR THE 4TH WORLD WATER FORUM. (F2005/00520)

- 213 **RESOLUTION: (His Worship the Mayor, Cr M. Matson)** that Council:

- 1) establishes a 4th World Water Forum working group to report to Council meetings with the objectives of:
 - a) steering Council's participation in the preparatory process leading up to the 4th World Water Forum to be held in Mexico in March 2006;
 - b) coordinating with other local and regional participants in the preparatory process;
 - c) initiating appropriate Local Projects as an input to the 4th World Water Forum and to apply for Community Water Grants under the Australian Government Water Fund of up to \$50,000.00 to contribute towards the funding of such projects;
- 2) sets the working group's quorum at three and appoints to it, the Mayor as Chair, the Deputy Mayor, the General Manager or his representative, Crs Hughes and Woodsmith and;
- 3) authorises the committee to appoint to it non-voting expert advisors from the community as it sees fit.

MOTION: (His Worship the Mayor, Cr M. Matson) CARRIED - SEE RESOLUTION.

6.10 MAYOR'S MINUTE 68/2005 – BIKE FRIENDLY DESIGN FOR BOTANY/RAINBOW STREET INTERSECTION. (F2004/08002)

214 **RESOLUTION:** *(His Worship the Mayor, Cr M. Matson) that the Randwick Traffic Committee be asked to investigate a redesign for the Botany Street/Rainbow Street intersection that incorporates a 1.5 metre wide gap in the median as recommended by the Randwick City Council Bicycle Plan 1998.*

MOTION: *(His Worship the Mayor, Cr M. Matson) CARRIED - SEE RESOLUTION.*

6.11 MAYOR'S MINUTE 69/2005 - OUTCOME OF STREET MEETING ON COUNCIL RESOLUTION TO REMOVE FICUS 'HILLI' GROWING ADJACENT TO 27 MELODY STREET, COOGEE. (F2004/06189)

215 **RESOLUTION:** *(Notley-Smith/Nash) that:*

- (a) the General Manager reviews Council's letter box distribution procedures;*
- (b) the Mayor convene a final meeting of Abbot and Melody Street residents in the lodge room prior to actioning Council's existing resolution to remove the Hills Fig at the corner of Melody and Abbott Streets Coogee; and*
- (c) the Mayor, General Manager, any interested ward councillors and Council's Tree Officer be delegated to consult with residents to choose a more suitable species of tree for the affected location.*

The Mayor vacated the Chair at 8.38 p.m. and the Deputy Mayor assumed the Chair.

MOTION: *(His Worship the Mayor, Cr M. Matson) that:*

- (a) the General Manager reviews Council's letter box distribution procedures;*
- (b) the Mayor convene a final meeting of Abbot and Melody Street residents in the lodge room prior to actioning Council's existing resolution to remove the Hills Fig at the corner of Melody and Abbott Streets Coogee; and*
- (c) Council commissions an independent consultant to assess the appropriateness of using various replacement species in Abbott Street. Species to assess would include Syzygium Luehmannii, Acmena Ingers, Flindersia Schottiana and Harpullia Pendula and other suggestions put forward by affected residents.*

AMENDMENT: *(Notley-Smith/Nash) CARRIED AND BECAME THE MOTION. MOTION CARRIED - SEE RESOLUTION.*

The Mayor resumed the Chair at 8.52 pm.

6.12 MAYOR'S MINUTE 70/2005 - EMULATING US MAYORS' CLIMATE PROTECTION AGREEMENT. (F2005/00324)

216 **RESOLUTION:** *(Tracey/Daley) that Council submit a motion to the Local Government Association requesting that the Association develop an Australian version of the US Mayors' Climate Agreement.*

MOTION: *(His Worship the Mayor, Cr M. Matson) that Council:*

- (a) authorise the Mayor to ask other Australian Mayors to sign the attached Australian version of the US Mayors' Climate Protection Agreement on behalf of their Councils; and
- (b) submit a motion to the next Local Government Association meeting requesting that the Association endorse the attached Australian version of the US Mayors' Climate Protection Agreement.

AMENDMENT: (Tracey/Daley) CARRIED – BECAME THE MOTION. MOTION CARRIED – SEE RESOLUTION.

6.13 MAYOR'S MINUTE 71/2005 - DEVELOPER DONATIONS. (F2005/00518)

(NOTE: A NOTICE OF RESCISSION MOTION WAS HANDED TO THE GENERAL MANAGER PRIOR TO THE CONCLUSION OF THE MEETING AND WILL BE CONSIDERED AT THE ORDINARY COUNCIL MEETING ON TUESDAY, 28TH JUNE, 2005.)

217 **RESOLUTION: (Notley-Smith/Hughes) that Council:**

- (a) *recognises the potential or perceived corrupting effect of campaign donations from development interests to parties and candidates for council elections;*
- (b) *believes changes to the Local Government Act are necessary in order to ban such donations in future; and delegates authority to the General Manager to write to the Minister for Local Government and to the Premier to inform them of Council's position and requesting the Local Government Act be amended before the Council elections in 2008 to ban developer donations,*
- (c) *in the interim, requests all individual councillors who have accepted donations from corporations and individuals with property development interests, or councillors who represent a state party that has passed on to them donations from corporations and individuals with property development interests, to declare the details and extent of those donations and to absent themselves from any vote where those donors will receive a benefit from the passing of a council resolution; and*
- (d) *establishes a committee comprising the Mayor and a one representative of the Greens, Liberal and Labor parties to investigate and report back to Council no later than 11 April, 2006 on:*
 - *the changes required to the New South Wales Local Government Act 1993 and other relevant legislation to achieve the objectives of this resolution, including addressing perceived conflicts of interest between Councillors and donors and seeking the Minister to issue a discussion paper on reforms to the Act that can include the prohibition of donations from corporations, companies and other entities (including political parties) and permitting donations from individuals only to the maximum of \$2,000 per year; that expenditure in cash and kind (except volunteers) on election campaigns for local government be capped at a maximum of \$1 per enrolled vote in a candidate's Council Ward (or local government area if wards do not exist);*

- *adopt any changes to Council's Code of Conduct and Code of Meeting Practice which would enable implementation of the objects of this resolution as interim measures;*
- (e) *prepare and bring a report back to an Ordinary Council meeting on the introduction of Independent Assessment Panels for Randwick City Council; and*
- (f) *note the ICAC Commissioner Irene Moss' recommendation that Councillors do not caucus on development applications before them.*

MOTION: (His Worship the Mayor, Cr M. Matson) that the recommendation contained in Mayor's Minute No. 71/2005 be adopted.

AMENDMENT: (Sullivan/Daley) that:

- a) it be recommended that all political parties do not caucus; and
- b) an investigation be carried out into the introduction of Independent Assessment Panels for Randwick City Council. **LOST.**

A division on the amendment was called for by Crs Sullivan & Daley. Voting was as follows:-

For	Against
Andrews	Belleli
Daley	Hughes
Procopiadis	Kenny
Sullivan	His Worship the Mayor, Cr M. Matson
Tracey	Nash
White	Notley-Smith
	Woodsmith

AMENDMENT: (Notley-Smith/Hughes) CARRIED AND BECAME THE MOTION. MOTION CARRIED - SEE RESOLUTION.

A division was called for by Crs Hughes & Notley-Smith. Voting was as follows:-

For	Against
Belleli	Andrews
Hughes	Daley
Kenny	Procopiadis
His Worship the Mayor, Cr M. Matson	Sullivan
Nash	Tracey
Notley-Smith	White
Woodsmith	

7. GENERAL MANAGERS' REPORTS.

**MINUTES OF ORDINARY COUNCIL MEETING OF
THE COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY, 28TH JUNE, 2005 AT 6:19 P.M.**

PRESENT:

His Worship the Mayor, Cr. M. Matson (East Ward) (Chairperson)

Councillor B. Notley-Smith (East Ward) (Deputy Mayor)

North Ward	-	Crs J. Kenny, P. Tracey & M. Woodsmith
South Ward	-	Crs R. Belleli, M. Daley (from 7.25 p.m.) & A. White
East Ward	-	Cr D. Sullivan
West Ward	-	Crs B. Hughes, S. Nash & J. Procopiadis
Central Ward	-	Crs A. Andrews, C. Bastic (from 6.33 p.m.) & T. Seng

OFFICERS PRESENT:

General Manager	Mr. R. Brownlee.
Director, City Services	Mr. J. Frangoples.
Acting Director, City Planning	Ms. K. Kyriacou.
Director, Governance & Financial Services	Mr. G. Banting.
Acting Public Officer	Mr. D. Kelly.
Manager Policy, Planning & Performance	Ms. K. Walshaw.

1. COUNCIL PRAYER

The Council Prayer was read by Cr Notley-Smith.

2. APOLOGIES.

Nil.

3. MINUTES

**CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING
HELD ON TUESDAY, 24TH MAY, 2005.**

- 269 **RESOLUTION:** *(Andrews/Notley-Smith)* that the Minutes of the Ordinary Council Meeting held on Tuesday, 24th May, 2005 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

**CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY COUNCIL
MEETING HELD ON TUESDAY, 14TH JUNE, 2005.**

270 **RESOLUTION:** (*Notley-Smith/Belleli*) that the Minutes of the Extraordinary Council Meeting held on Tuesday, 14th June, 2005 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

4. DECLARATION OF PECUNIARY & NON-PECUNIARY INTERESTS

- (a) Cr Woodsmith declared a Pecuniary interest in Item No. 13.5, Confidential Director, Governance & Financial Services' Report 29/2005 - Legal Services Tender No. T034/05 as her son works for one of the tendering law firms.
- (b) Cr Nash declared a Non-Pecuniary interest in Item No. 13.5, Confidential Director, Governance & Financial Services' Report 29/2005 - Legal Services Tender No. T034/05 as he is a practicing solicitor.

5. ADDRESSES TO THE COUNCIL BY THE PUBLIC.

- 1. Mr Digby Wren, 50 Haig Street, Maroubra on Item 6.14, Mayor's Minute 93/2005 – Inaugural French Festival Of Sydney.
- 2. Mr Robin Gandevia, 29 Park Avenue, Randwick on Item 9.1, Acting Director City Planning Report 36/2005 - Development Application Report - 29 Park Avenue, Randwick.
- 3. Mr Tom Bowden, 13/90 Mona Vale Road, Mona Vale on Item 9.1, Acting Director City Planning Report 36/2005 - Development Application Report - 29 Park Avenue, Randwick.
- 4. Mr Karl May, 1/586 Crown Street, Surry Hills on Item 9.2, Acting Director City Planning Report 37/2005 - Development Application Report - 70-72 Perouse Road, Randwick.
- 5. Mr John Stanger, 279 Doncaster Avenue, Kingsford on Item 11.3, Notice Of Rescission Motion by Councillors Andrews, Daley, Procopiadis, Tracey & White – Extraordinary Council Meeting, 14th June, 2005 – Item 4.5 - Mayoral Minute 76/2005 – Council Position on Sale of Crown Land Adjacent to Kensington Park.
- 6. Mr Frank Frazi, 69 Houston Road, Kingsford on Item 11.3, Notice Of Rescission Motion by Councillors Andrews, Daley, Procopiadis, Tracey & White – Extraordinary Council Meeting, 14th June, 2005 – Item 4.5 - Mayoral Minute 76/2005 – Council Position on Sale of Crown Land Adjacent to Kensington Park.

The meeting was adjourned at 6.53 p.m. and was resumed at 7.22 p.m.

6. MAYORAL MINUTES.

6.1 MAYOR'S MINUTE 80/2005 - SOUTHERN END OF COOGEE BEACH - REQUEST FOR AMENITY FACILITIES. (F2004/06057)

271 **RESOLUTION:** (*Woodsmith/Bastic*) that this matter be deferred to refer it back to the Coogee Precinct Committee for further consideration.

MOTION: (**His Worship the Mayor, Cr M. Matson**) that the Plan of Management be re-exhibited incorporating a toilet block at the southern end of Goldstein Reserve adjacent to the existing bus shelter.

301 **RESOLUTION:** (*Worship the Mayor, Cr M. Matson/Woodsmith*) that the petition tabled be received and noted.

MOTION: (His Worship the Mayor, Cr M. Matson/Woodsmith) CARRIED – SEE RESOLUTION.

10.5 PETITION SUBMITTED BY HIS WORSHIP THE MAYOR, CR M. MATSON ON BEHALF OF RESIDENTS REQUESTING NO LEFT TURN SIGNS FROM GARDENERS ROAD. (F2005/00172 xr F2005/08216)

302 **RESOLUTION:** (*Worship the Mayor, Cr M. Matson/Hughes*) that the petition tabled be received and noted.

MOTION: (His Worship the Mayor, Cr M. Matson/Hughes) CARRIED – SEE RESOLUTION.

11. MOTIONS PURSUANT TO NOTICE.

11.1 NOTICE OF RESCISSION MOTION BY COUNCILLORS ANDREWS, DALEY, PROCOPIADIS, SULLIVAN, TRACEY & WHITE – ORDINARY COUNCIL MEETING, 24TH MAY, 2005 – ITEM 6.13 - MAYOR'S MINUTE 71/2005 - DEVELOPER DONATIONS. (F2005/00518)

MOTION: (Daley/White) that the resolution passed at the Ordinary Council Meeting held on 24th May, 2005 reading as follows:-

that Council:

- (a) recognises the potential or perceived corrupting effect of campaign donations from development interests to parties and candidates for council elections;
- (b) believes changes to the Local Government Act are necessary in order to ban such donations in future; and delegates authority to the General Manager to write to the Minister for Local Government and to the Premier to inform them of Council's position and requesting the Local Government Act be amended before the Council elections in 2008 to ban developer donations,
- (c) in the interim, requests all individual councillors who have accepted donations from corporations and individuals with property development interests, or councillors who represent a state party that has passed on to them donations from corporations and individuals with property development interests, to declare the details and extent of those donations and to absent themselves from any vote where those donors will receive a benefit from the passing of a council resolution; and
- (d) establishes a committee comprising the Mayor and a one representative of the Greens, Liberal and Labor parties to investigate and report back to Council no later than 11 April, 2006 on:
 - the changes required to the New South Wales Local Government Act 1993 and other relevant legislation to achieve the objectives of this resolution, including addressing perceived conflicts of interest between Councillors and donors and seeking the Minister to issue a discussion paper on reforms to the Act that can

include the prohibition of donations from corporations, companies and other entities (including political parties) and permitting donations from individuals only to the maximum of \$2,000 per year; that expenditure in cash and kind (except volunteers) on election campaigns for local government be capped at a maximum of \$1 per enrolled vote in a candidate's Council Ward (or local government area if wards do not exist);

- adopt any changes to Council's Code of Conduct and Code of Meeting Practice which would enable implementation of the objects of this resolution as interim measures;
- (e) prepare and bring a report back to an Ordinary Council meeting on the introduction of Independent Assessment Panels for Randwick City Council; and
- (f) note the ICAC Commissioner Irene Moss' recommendation that Councillors do not caucus on development applications before them.

BE AND IS HEREBY RESCINDED. **LOST.**

11.2 NOTICE OF RESCISSION MOTION BY COUNCILLORS ANDREWS, DALEY, PROCOPIADIS, TRACEY & WHITE – EXTRAORDINARY COUNCIL MEETING, 14TH JUNE, 2005 – ITEM 4.2 - MAYORAL MINUTE 73/2005 - COUNCIL RESPONSE TO PROPOSED LOCAL GOVERNMENT ELECTION LEGISLATION AMENDMENTS. (F2004/06305)

MOTION: (Daley/White) that the resolution passed at the Extraordinary Council Meeting held on 14th June, 2005 reading as follows:-

that Council:

writes as a matter of priority to the NSW Minister for Local Government, the leaders of all the major parties and the cross benches in the Upper House, in reference to the Minister's announced voluntary councillor reduction legislation:

- 1) Urging that the legislation specifically contain provisions blocking the adoption of an optimal preferential voting system for electing Councillors as per the present provisions for elections conducted under two-Councillor-per ward-systems;
- 2) Urging that the legislation maximises community representation by enforcing the use of multi member Council wards or areas based on proportional voting systems to elect Councillors in normal elections;
- 3) Declaring its strong opposition to the proposal to allow mid term decisions to reduce Councillor numbers without seeking a mandate from the electorate via a constitutional referendum;
- 4) Suggesting that more representative and accountable ways of reducing the cost to the community of by-elections would be to replace the outgoing Councillor with either:
 - a) in the case of a non-independent, a candidate nominated by the registered officer of that Councillor's political party; or

**MINUTES OF ORDINARY COUNCIL MEETING OF
THE COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY 22ND AUGUST 2006 AT 6:11 P.M.**

PRESENT:

His Worship the Mayor, Cr. T. Seng (Central Ward) (Chairperson)

Councillor M. Matson (East Ward) (Deputy Mayor)

North Ward	-	Crs J. Kenny, P. Tracey & M. Woodsmith
South Ward	-	Crs R. Belleli, M. Daley (from 8.02 pm) & A. White
East Ward	-	Cr B. Notley-Smith & D. Sullivan
West Ward	-	Crs B. Hughes, S. Nash & J. Procopiadis
Central Ward	-	Crs A. Andrews & C. Bastic

OFFICERS PRESENT:

General Manager	Mr. R. Brownlee.
Director, City Services	Mr. J. Frangoples.
Director, City Planning	Ms. S. Truvert.
Director, Governance & Financial Services	Mr. G. Banting.
Manager, Administrative Services	Mr. D. Kelly.
Communications Manager	Ms. D. Brien.
Manager, Development Assessment	Mr. K. Kyriacou.
Manager, Corporate & Financial Planning	Ms. A. Singh.
Manager, Organisational Policy & Performance	Ms. K. Walshaw.

1. COUNCIL PRAYER

The Council Prayer was read by His Worship the Mayor, Cr. T. Seng.

2. APOLOGIES.

Nil.

3. MINUTES

**CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING
HELD ON TUESDAY, 25TH JULY, 2006.**

- 221 **RESOLUTION:** *(Belleli/Andrews) that the Minutes of the Ordinary Council Meeting held on Tuesday, 25th July, 2006 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.*

4. DECLARATIONS OF PECUNIARY & NON-PECUNIARY INTERESTS.

- (a) Cr Matson declared a non-pecuniary interest in Mayoral Minute 58/2006 as his daughter attends Coogee Public School.
- (b) Cr Belleli declared a non pecuniary interest in Mayoral Minutes 56/2006 and 57/2006 as both he and his wife have provided free entertainment to both groups in question.
- (c) Cr Sullivan declared a non pecuniary interest in Mayoral Minute 56/2006 as he is the patron of Des Renford Chair of Heart Research.

5. ADDRESSES TO THE COUNCIL BY THE PUBLIC.

ITEM 9.6 DIRECTOR, GOVERNANCE & FINANCIAL SERVICES' REPORT 56/2006 - EARTHWATCH FELLOWSHIPS.

For Mr John Eather 25 Elsemere Street Kensington

ITEM 10.2 DIRECTOR, CITY PLANNING REPORT 72/2006 - 28 MARCEL AVENUE, RANDWICK.

Objector Mrs Erica Rink 2/24 Gardyne Street, Bronte

ITEM 11.7 MOTION BY COUNCILLOR ANDREWS – KERB & GUTTERING (GLANFIELD STREET, MAROUBRA).

For Mr Norman Bible 62 Glanfield Street, Maroubra

The meeting was adjourned at 6.25 p.m. and was resumed at 6.44 p.m.

RESOLVED: (PROCEDURAL MOTION) (Andrews/Notley-Smith) that Items 9.6, 10.2 and 12.7 be brought forward for debate immediately after the mayoral minutes.

6. MAYORAL MINUTES.

6.1 MAYOR'S MINUTE 56/2006 - DES RENFORD CHAIR OF HEART RESEARCH SWIM CHALLENGE AND CHARITY DAY - USE OF DES RENFORD AQUATIC CENTRE. (F2004/06639)

(Note: Crs Belleli and Sullivan had previously declared a non pecuniary interest in this matter and left the chamber, taking no part in discussion of and voting thereon.)

222 **RESOLUTION:** *(His Worship the Mayor, Cr. T. Seng) that Council vote \$5,700.00 to cover the costs associated with Council's contribution towards the organising and staging of the Des Renford Family Day and Swim Challenge to be held on Sunday 29 October, 2006 for the purpose of raising money for the Victor Chang Cardiac Foundation and that this be funded from the Contingency Fund 2006/2007.*

MOTION: (His Worship the Mayor, Cr. T. Seng) CARRIED - SEE RESOLUTION.

This motion was withdrawn with the consent of Council.

12.2 MOTION BY COUNCILLOR WOODSMITH – ELIGIBILITY TO STAND FOR ELECTION TO COUNCIL. (F2005/00518 XR F2005/00171)

245 **RESOLUTION:** *(Woodsmith/Hughes) that:*

- (a) as public confidence is important and it is inappropriate for a financial link to exist between developers and decision makers in local government, the State Government be urged to enact legislation to prohibit real estate agents and developers from standing for election to councils; and*
- (b) this motion be sent to the Local Government & Shires Associations for inclusion on the agenda at the annual conference.*

MOTION: (Woodsmith/Hughes) CARRIED - SEE RESOLUTION.

12.3 MOTION BY COUNCILLOR WOODSMITH – DECLARATION OF INTERESTS BY COUNCILLORS. (F2004/06573 XR F2005/00171)

246 **RESOLUTION:** *(Woodsmith/Hughes) that:*

- a) Councillors who accept donations and whose political organisations accept donations from developers for their election campaigns, be required to declare an interest in all issues that come before council that involve these developers; and*
- b) this motion be sent to the Local Government & Shires Associations for inclusion on the agenda at the annual conference.*

MOTION: (Woodsmith/Hughes) CARRIED - SEE RESOLUTION.

A division was called for by Crs Hughes and Matson. Voting was as follows:-

For	Against
Bastic	Andrews
Belleli	Daley
Hughes	
Kenny	
Matson	
Nash	
Notley-Smith	
His Worship the Mayor, Cr. T. Seng	
Sullivan	
Tracey	
White	
Woodsmith	

12.4 MOTION BY COUNCILLOR ANDREWS – PEDESTRIAN & CYCLEWAY ALONG BUNNERONG ROAD (SHIRLEY CRESCENT MATRAVILLE TO ANZAC PARADE LITTLE BAY). (F2004/00880 XR F2005/00171)